

Rule 375-5-3-.11 Commercial Driver Training School Office Requirements

- (1) A residence may not be used ~~for~~as the place of business ~~of~~for a commercial driver training school.
- (2) A commercial driver training school shall maintain an office in the following manner:
 - (a) The license of the school must be conspicuously displayed.
 - (b) The school shall permit authorized representatives of the Department to make periodic scheduled and unscheduled inspections of all school facilities. During such inspection, each owner, partner, associate, corporate director, officer, manager, or employee of the school shall cooperate with the Department's representatives and upon demand, shall exhibit all records or other documents required to be maintained by such school under this Chapter.
 - (c) The telephone must be used exclusively for the operation of the school.
 - (d) An indoor classroom must be enclosed in such a manner that interference by the general public will be minimized. Sufficient indoor space must be provided for the purpose of instruction, to include individual desks or table with chairs to accommodate students comfortably. Classes of instruction are limited to a maximum number of forty students per class unless the Department determines that the space is inadequate for that number of students. In those situations, the maximum number will be calculated on twenty square feet per student with a minimum number of fifteen students per class. The maximum number of students per class determined by the Department does not supersede the occupancy load or maximum for the building determined by the local governing entity (i.e. county or city fire marshal, inspector, or agent). A copy of the Certificate of Occupancy must be submitted during the certification application process.
 - (e) Each school shall be inspected by the respective municipal or county government to ensure that the facilities of such school are in compliance with fire, sanitation, and building requirements in force and effect at the time of the commencement of operations of such school at such location or with the requirements imposed thereafter in conjunction with modifications or improvements previously made to such facilities. Copies of such inspection reports shall be made available upon request to the Department. In addition, the Department shall inspect the designated office space prior to approval of any application submitted to the Department.
 - (f) An employee of the school must be available to furnish information of operation or to produce necessary records or documents whenever requested by a member of the Department.
 - (g) The business office of the school cannot be operated entirely through a telephone answering service or telephone answering machine.
 - (h) The school may use the services of an answering service to answer the telephone only when the office is unmanned. The owner or operator of a school will be permitted to list ~~his~~their residence telephone number in any advertisement or on business cards provided such listing specifically states that such number may be called after a designated hour.

EXAMPLE: If the residence telephone number of the owner or operator is 224-4444, the advertisement must read, 'Call 244-4444 after 6:00 p.m.'

- (i) Any commercial driver training school may use a telephone number answering service in connection with the school; however, such service must be secondary to the operation of the school and shall be used only when there is no one in the school office to answer the telephone.
- (j) An 800 number or other telephone number may be answered at the principal office provided it is a toll-free call from the county where the classroom is located.
- (k) Any school or classroom facility utilized for or approved for the purposes of a commercial driver training school shall be clean and safe from health hazards such as rodents, pest infestation, and mold, and must comply with the requirements set forth by the Americans with Disabilities Act of 1990, before a permit is issued. -The owner shall certify to the Department that the facility complies with the Act and its implementing regulations.

Authority: O.C.G.A. ~~§Sec.~~ 43-13-8.

SYNOPSIS

STATEMENT OF PURPOSE AND MAIN FEATURES OF PROPOSED RULE

The purpose of this amendment is to add verbiage regarding maximum occupancy determined for the building due to issues found with the maximum determined for students per class being higher than the occupancy maximum determined for the building. In the past, the certificate of occupancy was not required but was sometimes still submitted. In recent scenarios, the Department found that the occupancy maximum established by the county's fire marshal was significantly lower than what was determined (for the classroom) by the Department's measurements.

DIFFERENCE BETWEEN EXISTING AND PROPOSED RULES

This proposed amendment requires the maximum number of students per class determined by the Department not to supersede the occupancy load or maximum for the building determined by the local governing entity (i.e. county or city fire marshal, inspector, or agent). A copy of the Certificate of Occupancy must be submitted during the certification application process. Any school, office, or classroom facility utilized for or approved for the purpose of a commercial driver training school shall be clean and safe from health hazards such as rodents, pest infestation, and mold. The rule title is also updated to be more specific.